

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff, : Case No. 3:03cr157 (1)
and 3:08cv133

vs. : Court of Appeals No. 11-4086

MICHAEL D. HORTON, : JUDGE WALTER HERBERT RICE

Defendant.

DECISION AND ENTRY CONCLUDING THAT DEFENDANT'S MOTION
FOR LEAVE TO APPEAL IN FORMA PAUPERIS IS MOOT (DOC. #130)

The Defendant's Motion for Permission to Appeal In Forma Pauperis (Doc. #130) is moot, given that the undersigned previously denied Petitioner leave to appeal in forma pauperis in a filing dated September 20, 2011 (Doc. #126).

October 21, 2011

WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Michael D. Horton, *Pro Se*
Counsel of record